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Counsel for Defendant ORTIZ

**FILED**

JAN - 9 2012

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	No. CR 11-00748 EJD (HRL)
	)	
Plaintiff,	)	STIPULATION AND [PROPOSED]
	)	ORDER TO MODIFY CONDITIONS OF
vs.	)	PRETRIAL RELEASE
	)	
JOSE GILBERTO ORTIZ,	)	<u>HON. HOWARD R. LLOYD</u>
	)	
Defendant.	)	

**STIPULATION**

Defendant Jose Gilberto Ortiz and the government, through their respective counsel, Assistant Federal Public Defender Varell L. Fuller, and Assistant United States Attorney Gary Fry, stipulate and agree to modify the defendant's previously set pretrial release conditions.

Mr. Ortiz is charged with two counts count of dealing firearms without a license, in violation of 18 U.S.C. § 922(a)(1)(A), ten counts of being a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1), and one count of knowing possession of a firearm with an altered serial number, in violation of 18 U.S.C. § 922(k). The Court released Mr. Gilberto-Ortiz on a \$50,000 bond secured by the signature of two sureties, and ordered his travel restricted to the Northern District of California. Mr. Gilberto-Ortiz has complied with all pretrial release

1 conditions as ordered since his release.

2 Mr. Gilberto-Ortiz's wife travels to a monthly medical appointment with Dr. Dwight  
3 James, M.D., 876 West Grand Avenue, Porterville, CA, located in the Eastern District of  
4 California. Mr. Gilberto-Ortiz respectfully request that the Court modify his pretrial release  
5 conditions to permit him to travel to the Eastern District of California, as permitted by Pretrial  
6 Services, so he may accompany his wife to her monthly medical appointment. Counsel for Mr.  
7 Gilberto-Ortiz has consulted with Mr. Gilberto-Ortiz's Pretrial Services Officer Jaime Carranza,  
8 who has no objection to the proposed modification.

9 Accordingly, the parties stipulate and agree that Mr. Gilberto-Ortiz's pretrial release  
10 conditions may be modified to permit his to travel to the Eastern District of California, as  
11 permitted by Pretrial Services, with all other conditions to remain in effect.

12 It is so stipulated.

13 January 8, 2012

14 /S/  
VARELL L. FULLER  
Assistant Federal Public Defender

15  
16 January 9, 2012

17 /S/  
GARY FRY  
Assistant United States Attorney

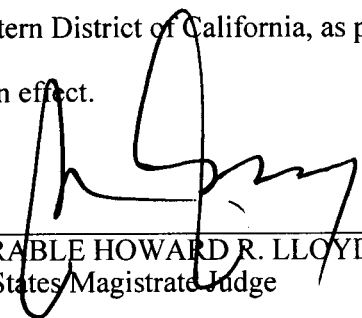
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19 [proposed] ORDER

20 GOOD CAUSE APPEARING, pursuant to the stipulation of the parties, IT IS HEREBY  
21 ORDERED that the bond conditions of release previously set in this matter are modified to  
22 permit Jose Gilberto Ortiz to travel to the Eastern District of California, as permitted by Pretrial  
23 Services. All other conditions are to remain in effect.

24 IT IS SO ORDERED.

25 Dated: 1/9/12

26   
HONORABLE HOWARD R. LLOYD  
United States Magistrate Judge